DEPARTMENT OF REAL ESTATE
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Los Angeles, California 90013
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FILED

MAR 1 5 2010

DEPARTMENT OF REAL ESTATE
BY:

STATE OF CALIFORNIA

DEPARTMENT OF REAL ESTATE

Го:) '
) NO. H-36511 LA
MERITAGE ENTERPRISES INC.,)
and to FELIX AISPURO.) ORDER TO DESIST AND
) REFRAIN
) (B&P Code Section 10086)
)

The Commissioner (Commissioner) of the California Department of Real Estate (Department) caused an investigation to be made of the activities of MERITAGE ENTERPRISES INC. (MERITAGE) and FELIX AISPURO (AISPURO). Based on that investigation, the Commissioner has determined that MERITAGE and AISPURO have engaged

in, are engaging in, or are attempting to engage in, acts or practices constituting violations of the California Business and Professions Code (Code) and/or Title 10, Chapter 6, California Code of

Regulations (Regulations), including the business of, acting in the capacity of, and/or advertising

or assuming to act as, a real estate broker in the State of California within the meaning of Section

10131(d) (performing services for borrowers in connection with loans secured by real property)

of the Code. Furthermore, based on the investigation, the Commissioner hereby issues the

authority of Section 10086 of the Code.

following Findings of Fact, Conclusions of Law, and Desist and Refrain Order under the

Whenever acts referred to below are attributed to AISPURO, those acts are alleged to have been done by AISPURO, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to MERITAGE, or other names or fictitious names unknown at this time.

FINDINGS OF FACT

- 1. MERITAGE is not now, and has never been, licensed by the Department in any capacity. MERITAGE is registered as a corporation with the Secretary of State for the State of California.
- 2. AISPURO is not now, and has never been, licensed by the Department in any capacity.
- 3. During the period of time set out below, MERITAGE and AISPURO solicited borrowers and negotiated to do one or more of the following acts for another or others, for or in expectation of compensation: negotiate one or more loans for, or perform services for, borrowers and/or lenders in connection with loans secured directly or collaterally by one or more liens on real property; and charge, demand or collect an advance fee for any of the services offered.

 Messan Sanvee transaction
- 4. In approximately June 2008, Messan Sanvee (Sanvee) contacted MERITAGE in response to a radio advertisement from MERITAGE which promised lower mortgage payments. Sanvee talked to AISPURO, who guaranteed that MERITAGE could lower Sanvee's mortgage payments.
- 5. In furtherance of their plan and scheme to provide loan modification services, MERITAGE and AISPURO requested and received advance fees of \$2,900 from Sanvee. On June 29, 2008, a \$1,500 check was issued from Sanvee to MERITAGE. This check was cashed on July 1, 2008. On July 1, 2008, a \$1,400 check was issued from Sanvee to MERITAGE. This check was cashed on July 29, 2008.

- 6. Sanvee also signed a Loan Modification Agreement with MERITAGE. Among the terms of this agreement, MERITAGE agreed to "submit loss mitigation package to lender(s)" and to "negotiate rate, balance or both based on capacity to pay".
- 7. No loan modification was ever obtained by MERITAGE or AISPURO for the home of Sanvee.

CONCLUSIONS OF LAW

8. Based on the findings of fact contained in paragraphs 1 through 7, AISPURO, acting by himself, or by and/or through one or more agents, associates, affiliates, and/or co-conspirators, including, but not limited to MERITAGE, or other names or fictitious names unknown at this time, solicited borrowers and promised to perform services for those borrowers and/or those borrowers' lenders in connection with loans secured directly or collaterally by one or more liens on real property, and charged, demanded or collected advance fees for the services to be provided, which acts require a real estate broker license under Section 10131(d) of the Code, during a period of time when MERITAGE and AISPURO were not licensed by the Department as real estate brokers, in violation of Section 10130 of the Code.

DESIST AND REFRAIN ORDER

Based on the Findings of Fact and Conclusions of Law stated herein, it is hereby ordered that MERITAGE ENTERPRISES INC. and FELIX AISPURO, whether doing business under your own names, or any other names or fictitious names, ARE HEREBY ORDERED to immediately desist and refrain from performing any acts within the State of California for which a real estate broker license is required. In particular, each of them are ordered to desist and refrain from:

1. charging, demanding, claiming, collecting and/or receiving advance fees, as that term is defined in Section 10026 of the Code, in any form, and under any conditions, with respect to the performance of loan modifications or any other form of mortgage loan forbearance service in connection with loans on residential property containing four or fewer dwelling units (Code Section 10085.6); and

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1	2. charging, demanding, claiming, collecting and/or receiving advance fees, as that term	
2	is defined in Section 10026 of the Code, for any other real estate related services offered by them	
3	to others.	
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6	0/14/18/15	
7	DATED: $\mathcal{U}(\mathcal{O}(\mathcal{O}))$	
8	JEFF DAVI Real/Estate Commissioner	
9	Real Astate Compassioner	
10	By MAL	
11		
12	Notice: Business and Professions Code Section 1013 provides that "Any person acting as a	
13	real estate broker or real estate salesperson without a license or who advertises using words indicating that he or she is a real estate broker without being so licensed shall be guilty of a public offense punishable by a fine not exceeding twenty thousand dollars (\$20,000), or by	
14	imprisonment in the county jail for a term not to exceed six months, or by both fine and imprisonment; or if a corporation, be punished by a fine not exceeding sixty thousand dollars	
15	(\$60,000)."	
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25	cc: FELIX AISPURO MERITAGE ENTERPRISES INC.	
26	9007 Arrow Route #150 Rancho Cucamonga, CA 91730	

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